

DRAWING AMENDMENTS

Two new reference characters, 14 and 14', for newly added elements that were described in the original specification, have been amended to Figs. 2 and 3 of the drawings in red ink along with the new element. A drawing amendment approval request form is enclosed herewith, as pursuant to MPEP 608.02(v).

REMARKS-General

1. Upon review of the original specification and in light of the observation of the Examiner noted in the above Office Action, the applicant has submitted a completely revised substitute specification which is deemed to more clearly and distinctly describe the subject matter of the instant invention, and which provides full antecedent basis to the newly drafted claims. No new matter has been included in the substitute specification.

2. A marked-up copy is also submitted to show additions to and/or deletions from the original specification and the substitute specification includes the same changes as are indicated in the marked-up copy of the original specification showing addition and/or deletions.

3. The newly drafted independent claim 21 incorporates all structural limitations of the original claim 1 and includes further limitations previously brought forth in the disclosure. No new matter has been included. All new claims 21 to 36 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

Regarding to Rejection of Claims 1-9 and 13-14 under 35USC102

4. The Examiner rejected claims 1-9 and 13-14 as being anticipated by W. H. Heaton (US 1,784,285). Pursuant to 35 U.S.C. 102, "a person shall be entitled to a patent unless:

(b) the **invention** was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States.

5. In view of 35 U.S.C. 102(b), it is apparent that a person shall **not** be entitled to a patent when his or her **invention was patent** in this country more than one year prior to the date of the application for patent in the United States.

6. However, the W. H. Heaton patent and the instant invention are **not the same invention** according to the fact that the independent claim 21 of the instant invention

does not read upon the W. H. Heaton patent. Apparently, W. H. Heaton fails to teach and anticipate the distinctive features of the instant invention as follows:

(a) In claim 21, "a fabric made arm sleeve" is claimed for the user to wear, wherein W. H. Heaton merely teaches the garment, such as a raincoat, is made of rubberized material without any mention of any arm sleeve being made of fabric such as cotton. The applicant respectfully submits the arm sleeve, such as a clinic coat, is worn by the user to prevent any irritation for the skin of the user. However, the rubber made garment of W. H. Heaton will irritate the skins of some users.

(b) In claim 21, "a sleeve protection layer being overlapped on and encircled with the arm sleeve" is claimed to protect the fabric made arm sleeve, wherein W. H. Heaton is silent regarding any sleeve protection layer overlapping and encircling with the sleeve. In fact, W. H. Heaton merely teaches the sleeve has two sleeve portions 10, 18 attaching with each other edge-to-edge without any mention of any overlapping structure of the sleeve.

(c) In claim 21, "the sleeve protection layer having an upper edge attached to the outer side of the arm sleeve at a position below an elbow of the user's arm" is claimed to configure the position of the sleeve protection layer with respect to the arm sleeve, wherein W. H. Heaton merely teaches the section 18 being joined to the sleeve portion 10 by sewing the two folded edge together. In other words, W. H. Heaton merely teaches the upper edge of the section 18 is sewn to the lower edge of the sleeve portion 10. It is apparent that W. H. Heaton fails to teach and anticipate the upper edge of the sleeve protection layer being attached to the outer side of the arm sleeve.

(d) In claim 21, "the lower edge of the sleeve protection layer being extended to the free edge of the arm sleeve and attached to the inner side thereof" is claimed to retain the sleeve protection layer around the arm sleeve, wherein W. H. Heaton merely teaches the section 18 is sewn to the sleeve portion 10 edge-to-edge without any mention of any folding structure of the sleeve protection layer. The applicant respectfully submits that the lower end portion of the sleeve protection layer is inwardly folded into the arm sleeve such that the edge portion of the arm sleeve is enclosed within the sleeve protection layer. W. H. Heaton is silent regarding such folding structure of the sleeve protection layer.

Furthermore, W. H. Heaton discloses the two folding edges of the two sleeve portions 10, 18 are sewn together with the tacky gum 12 interposed therebetween. In other words, the sleeve structure of W. H. Heaton substantially increases the thickness of the sleeve at the connection edge by folding the edge of each of the sleeve portion and adding an additional air-curing gum 12. The sleeve structure of the instant invention provides a simple but effective protection structure for sanitary purpose by overlapping the sleeve protection layer on the arm sleeve and inwardly folding the lower portion of the sleeve protection into the arm sleeve.

(e) In claim 21, "an outer edge of a blocking strap being extended from the inner side of the arm sleeve" is claimed to configure the blocking strap within the arm sleeve, wherein W. H. Heaton merely teaches the rubberized cloth 14 attaching to the layer 12 which is attached along a connection edge between the two sleeve portions 10, 18. It is apparent that W. H. Heaton fails to teach the rubberized cloth 14 being attached to the inner side of the arm sleeve which is enclosed within the sleeve protection layer.

(f) In claim 21, "a circular elastic element provided around the inner edge of the blocking strap within the arm sleeve" is claimed for applying an elastic binding force around the user's arm above a wrist thereof, wherein W. H. Heaton merely teaches a wide annular waterproof fabric reinforced rubber band 26 within the section 18 without any mention of any rubber band 26 being retained within the arm sleeve being overlapped within the sleeve protection layer. The applicant respectfully submits that the elastic element is retained within the arm sleeve such that when the elastic element encircles around the wrist of the user, the blocking strap is extended from the inner side of the arm sleeve to the wrist of the user for preventing any body fluid, blood, or human or animal excrement entering into the arm sleeve.

(g) W. H. Heaton fails to achieve the unexpected result of the instant invention. The applicant respectfully submits that when the user, such as the healthcare provider, wears the clinic coat, the arm sleeve of the clinic coat encircles with the arm of the user that the fabric made arm sleeve will contact with the skin of the user. Having the sleeve protection layer overlapping on the arm sleeve of the clinic coat, the sleeve protection layer will protect any unwanted substance, i.e. any body fluid, blood, or human or animal excrement, coated onto the arm sleeve. In addition, when the user

wears the glove, the elastic element will encircle the glove at the wrist of the user such that the elastic element not only reinforces the extension of the blocking strap to enclose the interior of the arm sleeve but also retains the glove in position. Thus, the blocking strap also protects the watch or wrist jewelry from being contaminated by enclosing the watch or wrist jewelry within the arm sleeve behind the blocking strap.

7. The applicant respectfully submits that W. H. Heaton is silent regarding any double-layer structure of the sleeve. The sleeve structure of the instant invention provides two layers made of different materials in an overlapped manner. The sleeve protection layer not only overlaps on the outer side of the arm sleeve but also inwardly folds to overlap on the inner side of the arm sleeve. The structure of W. H. Heaton merely teaches two sleeve portions connecting edge-to-edge without any overlapping double-layer structure or any inward folding with overlapping structure.

8. Accordingly, W. H. Heaton fails to anticipate the above distinctive features (a) to (g) as claimed in claim 21 of the instant invention. W. H. Heaton is not a qualified prior art of the instant invention and should be removed from the prior art list of the instant invention.

Response to Rejection of Claims 10-12 and 15-20 under 35USC103

9. The Examiner rejected claims 10-12 and 15-20 over W. H. Heaton in view of Stockwell (US 5,359,735). Pursuant to 35 U.S.C. 103:

“(a) A patent may not be obtained though the invention is **not identically** disclosed or described as set forth in **section 102 of this title**, if the **differences** between the subject matter sought to be patented and the prior art are such that the **subject matter as a whole would have been obvious** at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.”

10. In view of 35 U.S.C. 103(a), it is apparent that to be qualified as a prior art under 35USC103(a), the prior art must be cited under 35USC102(a)~(g) but the disclosure of the prior art and the invention are not identical and there are one or more differences between the subject matter sought to be patented and the prior art. In addition, such differences between the subject matter sought to be patented **as a whole** and the prior

art are obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

11. In other words, the differences between the subject matter sought to be patent as a whole of the instant invention and W. H. Heaton which is qualified as prior art of the instant invention under 35USC102(b) are obvious in view of Stockwell at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

12. However, as recited above, W. H. Heaton merely discloses a sleeve of waterproof raincoat having two sleeve portions 10, 18 connecting edge-to-edge via an air-curing gum 12 without any mention of any sleeve protection layer overlapping on the fabric made arm sleeve. W. H. Heaton merely teaches two folding edges sewn together to connect the two sleeve portions 10, 18 with each other without any mention of any edge portion of the sleeve protection layer inwardly folded to attach to the inner side of the arm sleeve so as to enclose the edge portion of the arm sleeve within the sleeve protection layer. W. H. Heaton merely teaches the rubberized cloth 14 attaching along a connection edge between the two sleeve portions 10, 18 without any mention of attaching the inner edge of the blocking strap to the inner side of the arm sleeve.

13. Therefore, the difference between W. H. Heaton and the instant invention as claimed in claims 21 to 36 is not limited to the disclosure of "sleeve with rubber structure", but includes the above distinctive features (a) to (g). In addition, regarding to claims 21 to 36, the instant invention further contains the following distinctive features:

(h) W. H. Heaton fails to teach and suggest the outer edge of the blocking strap being integrally extended from the lower edge of the sleeve protection layer as claimed in claim 22 in addition to what is claimed in claim 21 as a whole. W. H. Heaton clearly teaches the rubberized cloth 14 attaching to the air-curing gum 12 along a connection edge between the two sleeve portions 10, 18. The applicant respectfully submits that the lower edge of the sleeve protection layer is inwardly folded into the arm sleeve to form the blocking strap.

(i) W. H. Heaton is silent regarding the sleeve protection layer and the blocking strap being made of silicone rubber as claimed in claims 23 to 24 in addition to what is claimed in claim 21 as a whole. The applicant respectfully submits the garment

of W. H. Heaton is used as a waterproof garment such as raincoat. The sleeve structure of the instant invention is used as a sanitary garment that the sleeve protection layer and the blocking strap of the instant invention are made of silicone rubber for preventing any unwanted substance, i.e. any body fluid, blood, or human or animal excrement, coated onto the arm sleeve.

(j) W. H. Heaton is silent regarding the inner edge of the blocking strap being folded to form a pocket to receive the elastic element therein to retain the elastic element around the inner edge of the blocking strap as claimed in claims 25 to 27 in addition to what is claimed in claim 21 as a whole. W. H. Heaton merely teaches the band 26 being secured to the end of the inner sleeve by a stitching 28 and 30, and a layer 12' of air-curing tacky gum without any mention of any inner edge of the rubberized cloth 14 folded to form a pocket to receive the band 26.

(k) W. H. Heaton does not teach at least a line of affixing spots continuously aligned along a length of the outer edge of the blocking strap to securely attach the blocking strap on the inner side of the arm sleeve as claimed in claims 28 to 30 in addition to what is claimed in claim 21 as a whole. W. H. Heaton merely teaches the edge of the rubber cloth 14 being sewn at the air-curing gum 12 along the connection edge between the two sleeve portions 10, 18. The applicant respectfully submits that the outer edge of the blocking strap is attached to the inner side of the arm sleeve via the line of affixing spots. W. H. Heaton fails to teach such configuration.

(l) W. H. Heaton does not teach at least one line of attaching spots is continuously aligned along the free edge of said arm sleeve at the inner side thereof to securely attach the lower edge of said sleeve protection layer to the inner side of the arm sleeve as claimed in claims 31 to 33 in addition to what is claimed in claim 21 as a whole. W. H. Heaton merely teaches the folding edge of the section 18 being sewn to the folding edge of the sleeve portion 10 via the air-curing gum 12. The applicant respectfully submits that the lower edge of said sleeve protection layer is inwardly folded to attach to the inner side of the arm sleeve via the line of attaching spots. W. H. Heaton fails to teach such configuration.

(m) W. H. Heaton does not teach a width of the edge portion of the arm sleeve is longer than a width of the blocking strap to retain the elastic element within the

arm sleeve at a position above the free edge end thereof as claimed in claims 34 to 36 in addition to what is claimed in claim 21 as a whole. W. H. Heaton merely teaches the rubber cloth 14 and the band 26 are folded between the interior of the sleeve portion 10 and the interior of the section 18.

14. Whether the claims 21 to 36 as amended of the instant invention are obvious depends on whether the above differences (a) to (m) between the instant invention and W. H. Heaton are obvious in view of Stockwell at the time of the invention was made.

15. Furthermore, the applicant respectfully submits that when applying 35 USC 103, the following tenets of patent law must be adhered to:

- (a) The claimed invention must be considered as a whole;
- (b) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
- (c) The references must be viewed without the benefit of hindsight vision afforded by the claimed invention; and
- (d) Reasonable expectation of success is the standard with which obviousness is determined.

Also, "The mere fact that a reference could be modified to produce the patented invention would not make the modification obvious unless it is suggested by the prior art." Libbey-Owens-Ford v. BOC Group, 4 USPQ 2d 1097, 1103 (DCNJ 1987).

16. Stockwell merely teaches a process of coating a sprayable rubber material to the surface. In particular, Stockwell merely teaches a thin layer 14 of silicone rubber coated to the surface 12. The applicant respectfully submits that the sleeve protection layer of the instant invention is not coated or sprayed on the arm sleeve. Regarding to the instant invention, the arm sleeve and the sleeve protection layer are made of different materials and are two separated layers being overlapped together. The sleeve protection layer is overlapped on the arm sleeve at a position that the outer edge of the sleeve protection layer is attached to the outer side of the arm sleeve while the inner edge of the sleeve protection layer is inwardly folded to attach to the inner side of the arm sleeve. In other words, even though modifying the sleeve structure of W. H.

Heaton with the rubber coating of Stockwell to coat the rubber material on the sleeve portion of W. H. Heaton, as proposed by the Examiner, the combination thereof would not provide the arm sleeve structure of the instant invention that the outer edge of the sleeve protection layer is attached to the outer side of the arm sleeve while the inner edge of the sleeve protection layer is inwardly folded to attach to the inner side of the arm sleeve.

17. "To prevent the use of hindsight based on the invention to defeat patentability of the invention, this court requires the examiner to show a motivation to combine the references that create the case of obviousness. In other words, the examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited art references for combination in the manner claimed... [T]he suggestion to combine requirement stands as a critical safeguard against hindsight analysis and rote application of the legal test for obviousness..." *In re Gorman*, 933 F.2d 982, 986, 18 USPQ 2d 1885, 1888 (Fed. Cir. 1991).

18. Accordingly, the applicant believes that neither W. H. Heaton nor Stockwell, separately or in combination, suggests or makes any mention whatsoever of the difference subject features (a) to (m) as claimed in the amended claims 21 to 36 of the instant invention.

19. Applicant believes that for all of the foregoing reasons, all of the claims are in condition for allowance and such action is respectfully requested.

The Cited but Non-Applied References

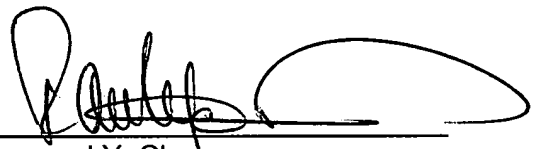
20. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

21. A set of formal drawings, including Figures 2 and 3 as the replacement sheets, are submitted herewith to replace the corresponding original figures in file upon the approval of the proposed drawing correction of Figure 2 and 3.

22. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 21 to 36 at an early date is solicited.

23. Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this corresponding is being deposited with the United States Postal Service by First Class Mail, with sufficient postage, in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on the date below.

Date: _____

03/26/2007

Signature: _____

Person Signing: Raymond Y. Chan

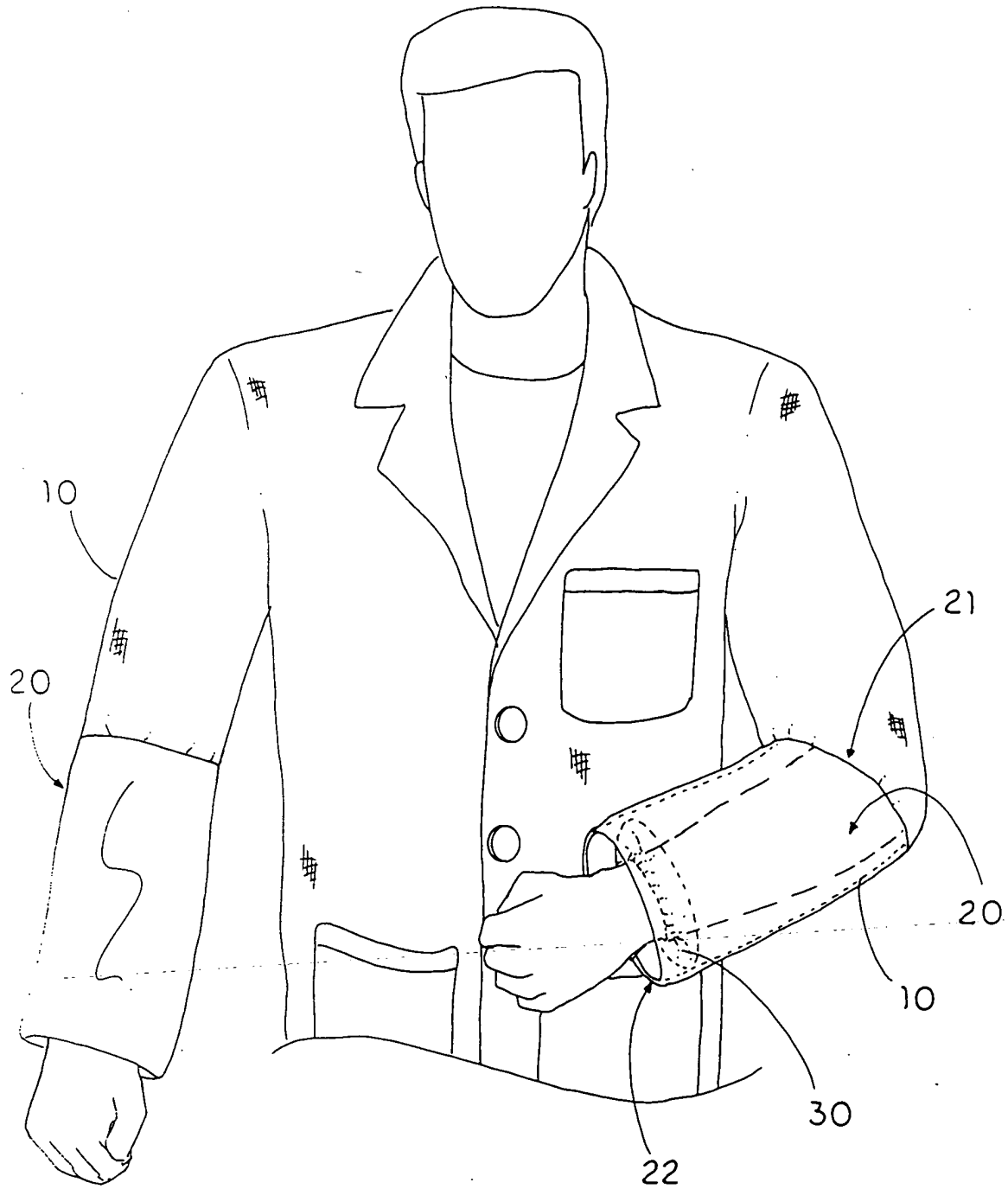


FIG.1

Inflated Sheet

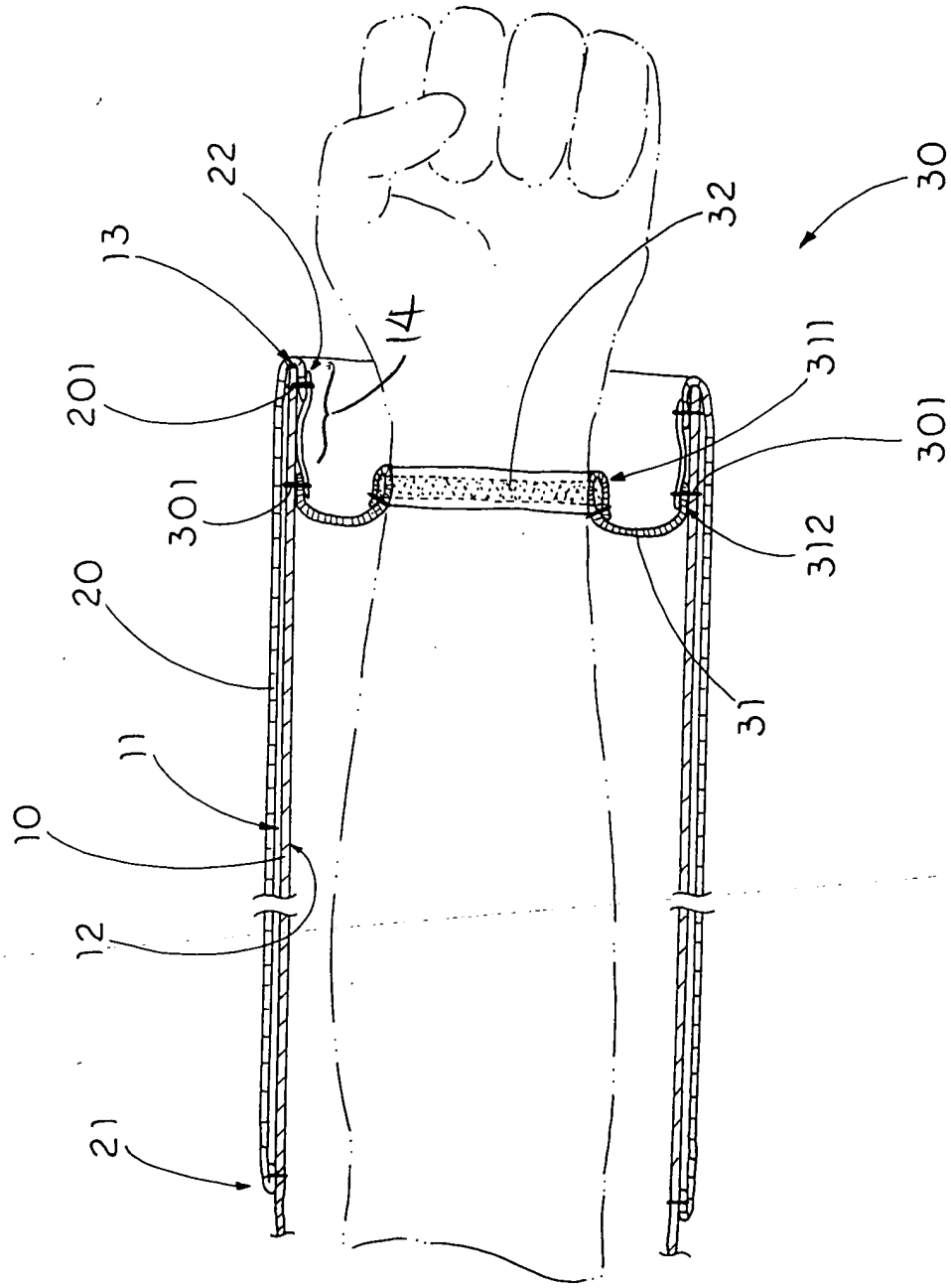


FIG. 2

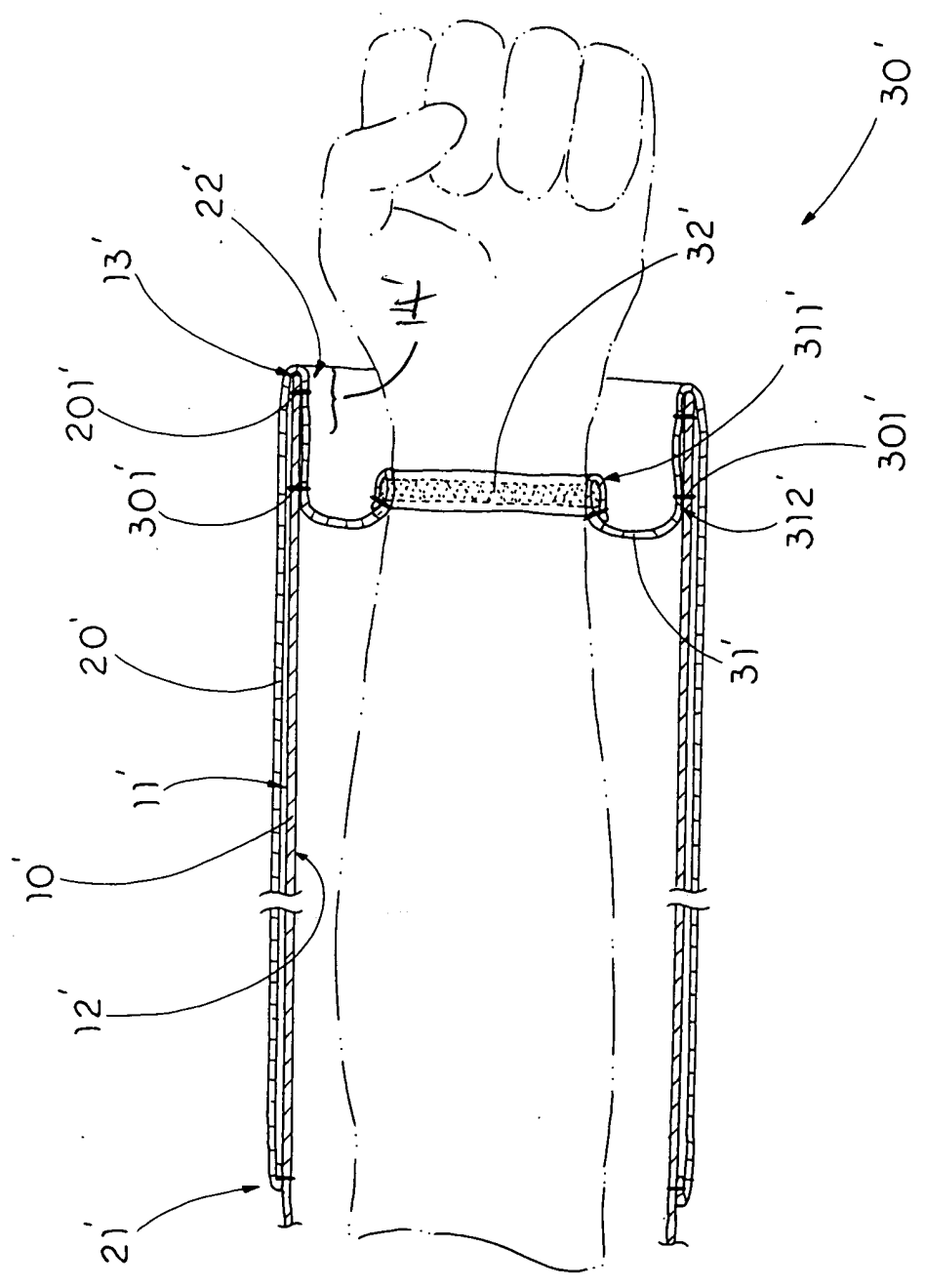


FIG. 3

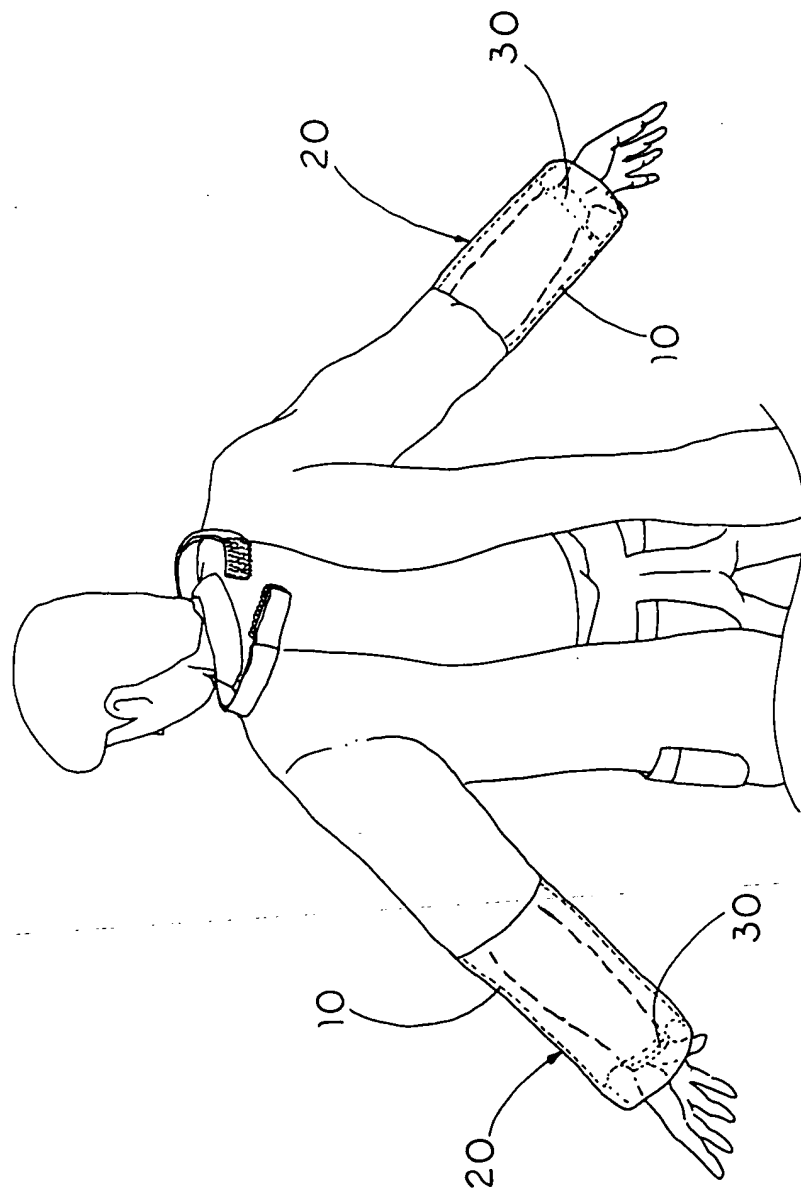


FIG. 4